

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

KIMBERLY R. FALLEN,	:	Case No. 3:15-cv-002
	:	
Plaintiff,	:	District Judge Walter Herbert Rice
	:	
vs.	:	Chief Magistrate Judge Sharon L. Ovington
	:	
COMMISSIONER OF SOCIAL	:	
SECURITY,	:	
	:	
Defendant.	:	

DECISION AND ENTRY

This social security case is presently before the Court on the parties' Joint Stipulation to Remand. (Doc. 11). Under the joint stipulation, the parties agree that this matter should be remanded to the Commissioner for further administrative proceedings, pursuant to Sentence Four of 42 U.S.C. § 405(g). (*Id.*) Additionally, the parties agree that upon receipt of this Court's Order, the Appeals Council will remand the matter to an Administrative Law Judge for further proceedings, including taking of additional evidence and a de novo hearing, and the claim will be completely reevaluated starting at the beginning of the sequential evaluation. (*Id.*)

On October 6, 2015, the United States Magistrate Judge, to whom this case is referred pursuant to 28 U.S.C. § 636(b), filed a Report and Recommendation recommending that this Court accept the joint stipulation and remand this case to the Commissioner as agreed by the parties. (Doc. 12). No objection was filed to the Report and Recommendation, and the time for doing so expired on October 23, 2015. (*Id.*) The

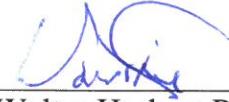
Court, having reviewed the matter *de novo*, determines that the Report and Recommendation (Doc. 12) of the Magistrate Judge should be, and is hereby, **ADOPTED** in its entirety.

IT IS THEREFORE ORDERED THAT:

1. The Report and Recommendation (Doc. 12) is hereby **ADOPTED**;
2. The parties' Joint Stipulation to Remand to the Commissioner (Doc. 11) is **ACCEPTED**;
3. The Clerk of Court is directed to enter Judgment in Plaintiff's favor under Fed. R. Civ. P. 58;
4. This matter is **REMANDED** to the Social Security Administration, pursuant to Sentence Four of 42 U.S.C. § 405(g), for further consideration consistent with this Decision and Entry and the parties' stipulation; and
5. The case is terminated on the docket of this Court.

IT IS SO ORDERED.

Date: 10-26-15



Walter Herbert Rice
United States District Judge